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OFFICE OF PETITIONS

In re Application of :
Petrus Hubertus Magnee et al. :
Application No. 10/539,549 : **DECISION ON PETITION**
Filed: June 16, 2005 :
Attorney Docket No. BE020044 US1 :

This is a decision on the petition, filed May 28, 2009, which is being treated as a petition under 37 CFR 1.181 (no fee) requesting withdrawal of the holding of abandonment in the above-identified application.

The petition is **GRANTED**.

This application was held abandoned for failure to reply to the Office action mailed on July 21 2008. A Notice of Abandonment was mailed on March 18, 2009.

Petitioner contends that the Notice of Abandonment was mailed in error since a decision was mailed on July 21, 2008, indicating that a petition to revive filed February 25, 2008 was Granted. Petitioner also states that they were awaiting the review of the amendment submitted concurrently with the petition to revive on February 25, 2008. A review of the application record indicates that a decision granting the revival of the instant application was mailed on July 25, 2008. The decision was forwarded to Technology Center GAU 1792. However, the amendment filed concurrently with the petition on February 28, 2008, was not acted upon.

In view of the above, the Notice of Abandonment is hereby **VACATED** and the holding of abandonment **WITHDRAWN**.

Telephone inquiries concerning this decision should be directed to JoAnne Burke at 571-272-4584.

This application is being referred to Technology Center AU 1792 for appropriate action in the normal course of business on the reply received February 25, 2008.


Ramesh Krishnamurthy
Petitions Examiner
Office of Petitions